

Form 410

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:

Karen I. Ruby
Debtor(s)

Bankruptcy Case No.: 16-21712-CMB

Chapter: 13
Docket No.: 49 - 48
Concil. Conf.: February 1, 2018 at 09:00 AM

ORDER

WHEREAS, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

IT IS HEREBY ORDERED that, on or before **January 2, 2018**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit* or *Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

OR

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

IT IS FURTHER ORDERED that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **January 16, 2018**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **February 1, 2018 at 09:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

If the Parties cannot resolve all disputes at the Conciliation Conference, a hearing will be scheduled and orally announced at the conclusion of the Conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the Conciliation conference to the extent such parties desire more information regarding the outcome of the Conciliation Conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: November 15, 2017

cm: All Creditors and Parties In Interest

Carlota M. Bohm
United States Bankruptcy Judge

INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnenour, Trustee
P.O. Box 84051
Chicago, IL 60689-4002

Certificate of Notice Page 3 of 4
United States Bankruptcy Court
Western District of Pennsylvania

In re:
 Karen I. Ruby
 Debtor

Case No. 16-21712-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dsaw
 Form ID: 410

Page 1 of 2
 Total Noticed: 18

Date Rcvd: Nov 15, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 17, 2017.

db +Karen I. Ruby, 605 Murdoch Street, Washington, PA 15301-5247
 cr +PNC Bank, National Association, c/o Brett A. Solomon, Esquire, Tucker Arensberg, P.C.,
 1500 One PPG Place, Pittsburgh, PA 15222-5413
 14225493 +Albert Ruby, 214 Cunningham School Road, Smock, PA 15480-1304
 14285641 ++COLUMBIA GAS, 290 W NATIONWIDE BLVD 5TH FL, BANKRUPTCY DEPARTMENT, COLUMBUS OH 43215-4157
 (address filed with court: Columbia Gas of PA, P.O. Box 117, Columbus, OH 43216)
 14225495 Capital One Bank, PO Box 30285, Salt Lake City, UT 84130-0285
 14225494 +Capital One Bank, c/o Weltman Weinberg & Reis, CO, LPA, Attn: William Molzcan, Esquire,
 436 7th Ave #2500, Pittsburgh, PA 15219-1842
 14225496 +City of Washington, c/o Portnoff Associates, 1000 Sandy Hill Road, Suite 150,
 Norristown, PA 19401-4181
 14225497 +City of Washington, c/o Portnoff Associates, P.O. Box 391, Norristown, PA 19404-0391
 14242203 +City of Washington, c/o Portnoff Law Associates, Ltd., P.O. Box 3020,
 Norristown, PA 19404-3020
 14225498 +Dr. Webb & Associates, P.C., 42 East Maiden Street, Washington, PA 15301-4912
 14225503 +PNC Bank, N.A., c/o Weltman Weinberg & Reis, CO, LPA, Attn: William Molzcan, Esquire,
 436 7th Ave #2500, Pittsburgh, PA 15219-1842
 14225501 PNC Bank, N.A., PO Box 3180, Pittsburgh, PA 15230-3180
 14225502 +PNC Bank, N.A., One Financial Parkway, Kalamazoo, MI 49009-8002
 14225504 +Rushmore Loan Management Services, P.O. Box 52708, Irvine, CA 92619-2708
 14225505 +Rushmore Loan Management Services, 15480 Laguna Canyon Rd., Suite 100,
 Irvine, CA 92618-2132
 14225506 +Wells Fargo Mortgage, c/o Phelan Hallinan, 1617 John F Kennedy Blvd #1400,
 Philadelphia, PA 19103-1814
 14288252 +Wilmington Savings Fund Society, FSB, c/o Rushmore Loan Management Services, P.O. Box 55004,
 Irvine, CA 92619-5004

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14225499 E-mail/Text: cio.bnccmail@irs.gov Nov 16 2017 01:35:11 Internal Revenue Service,
 PO Box 7346, Philadelphia, PA 19101-7346

TOTAL: 1

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Wilmington Savings Fund Society
 cr* +City of Washington, c/o Portnoff Law Associates, Ltd., P.O. Box 3020,
 Norristown, PA 19404-3020
 14225500 ##+Manley Deas & Kochalski LLC, 1400 Goodale Blvd #200, Columbus, OH 43212-3777
 TOTALS: 1, * 1, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 17, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 15, 2017 at the address(es) listed below:

Brett A. Solomon on behalf of Creditor PNC Bank, National Association bsolomon@tuckerlaw.com, agilbert@tuckerlaw.com;cabbott@tuckerlaw.com;dparanay@tuckerlaw.com
 Brett A. Solomon on behalf of Defendant PNC Bank N.A. bsolomon@tuckerlaw.com, agilbert@tuckerlaw.com;cabbott@tuckerlaw.com;dparanay@tuckerlaw.com

District/off: 0315-2

User: dsaw
Form ID: 410

Page 2 of 2
Total Noticed: 18

Date Rcvd: Nov 15, 2017

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)

Christopher M. Frye on behalf of Plaintiff Karen I. Ruby chris.frye@steidl-steinberg.com,
julie.steidl@steidl-steinberg.com;todd@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;cgo
ga@steidl-steinberg.com;r53037@notify.bestcase.com
Christopher M. Frye on behalf of Debtor Karen I. Ruby chris.frye@steidl-steinberg.com,
julie.steidl@steidl-steinberg.com;todd@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;cgo
ga@steidl-steinberg.com;r53037@notify.bestcase.com
James Warmbrodt on behalf of Creditor Wilmington Savings Fund Society bkgroup@kmllawgroup.com
James R. Wood on behalf of Creditor City of Washington jwood@portnoffonline.com,
jwood@ecf.inforuptcy.com
Joshua I. Goldman on behalf of Creditor Wilmington Savings Fund Society
bkgroup@kmllawgroup.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmeccf@chapter13trusteeewdpa.com

TOTAL: 9